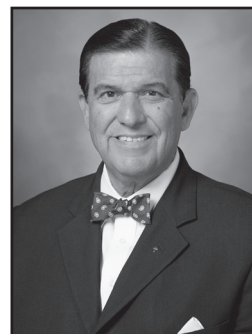


Senator Eddie Lucio, Jr. Capitol Update

Fall 2017



OPEN LETTER TO CONSTITUENTS OF DISTRICT 27

Residents of Cameron, Hidalgo, Willacy, Kenedy, Kleberg Counties



Dear Friends,

As your state senator representing District 27, I write to you to report the latest information from the 85th Regular Session that began in January. As you may have seen in our local media, the 85th Regular Session, which ended on May 29, 2017, was dominated by conflict-ridden policy proposals. During my 31 years in the Texas Legislature, I have not seen a more challenging legislative climate than what we experienced at the beginning of this year. Regretfully, the divisive politics that have taken over Washington made their way to our state Capitol in Austin.

Partisan rhetoric, as opposed to the true needs of our communities, was the reason many bills failed to pass. Although there were nearly 7,000 bills filed, about 85% of them did not make it through the entire process. Why was this the case? Unfortunately, polarizing bills such as Senate Bill 4 (the anti-sanctuary cities bill) pitted members against members and engendered discord and divisiveness in the session, which made passing good policy proposals a formidable task. As a result, frustration and stalemate governed the Legislature and prevented many noteworthy legislative initiatives from being given an opportunity to pass and become law.

On the other hand, though the legislative session was extremely challenging, I am proud to report that our Lower Rio Grande Valley Legislative Delegation stood up to the challenge and we were successful in addressing some of the most fundamental needs of our region. By working together, we were successful in appropriating over \$55 million to our University of Texas Rio Grande Valley (UTRGV) and were equally as effective in passing critical legislation to assist South Texas!

Personally, I authored a legislative package that focused on constituencies that are often overlooked. By working with both chambers of the Legislature in a bipartisan manner, I was successful in passing into law a series of bills that will ensure that the needs of these noteworthy Texans, such as our veterans, children with disabilities, and students in our historically underserved region, will be appropriately addressed!

Furthermore, since Governor Greg Abbott called the Legislature back for a "special session" that started on July 18, 2017, I have taken the liberty to update you in this newsletter on the latest developments from this additional session.

In closing, I welcome you to read this newsletter and I urge you to keep an eye on my Texas Senate web page for any developments occurring during the legislative interim. Rest assured that as new challenges and opportunities present themselves in the upcoming 18 months, I will continue to put the best interests of the Lower Rio Grande Valley first and will work tirelessly for the betterment of our Valley communities!

Sincerely,

Eddie Lucio, Jr.
State Senator, District 27

Child Welfare Overhaul

Due to media reports of children in the state's custody sleeping in state office buildings, a challenge that overwhelmed the capacity of our state child welfare agency, Governor Abbott made reforming Child Protective Services (CPS) an emergency item for the Legislature. In a bipartisan manner, Texas' troubled child protection agency had four major reforms that will improve the welfare of our state's vulnerable children.

Sen. Lucio worked actively with the author of **Senate Bill 11**, Sen. Charles Schwertner, to create standardized policies for child abuse and neglect investigations. Specifically, he amended SB 11 to require the state to collect and monitor repeated reports of abuse or neglect involving the same child or by the same alleged perpetrator; require the Texas Department of Family Protective Services (DFPS) to establish units with CPS to investigate each allegation of child abuse and neglect; and require the agency's strategic plan to have the goals of ending the abuse and neglect of children in the conservatorship of the state and of increasing the capacity and availability of foster, relative, and kinship placements in Texas. Overall, SB 11 creates a community-based care model and allows the state to contract with nonprofits for case management to oversee children who are in foster care, have been adopted, or are in the care of a relative.

The three other reforms further improve the child welfare system by: allocating additional funding and support to relatives of children who serve as caregivers of abused and neglected children (**House Bill 4**); making the DFPS a standalone agency (**House Bill 5**); and addressing the court proceedings that affect foster children and their biological parents and directing the agency to only remove children from their home because of allegations of violence or abuse, and not for other nonviolent misdemeanors (**House Bill 7**).

Special Needs Populations

Children with Special Needs

Sen. Lucio's **Senate Bill 589**, a landmark bill that was signed into law, provides fundamental standards to protect the most vulnerable Texans who benefit from applied behavioral intervention (including children with autism, those with developmental, intellectual, and physical disabilities, and with brain injuries) from unqualified practitioners. Because of this bill, Texas joins the more than 20 other states in the nation that have established the necessary licensure and regulation to protect the well-being of this population and increase the quality of their care. SB 589 sends the right message that protecting children and people with special needs is Texas' highest priority.

Elderly and Seniors

The elderly and seniors were the focus of much of Legislature's attention

during the regular session. As a member of the Legislative Committee on Aging, Sen. Lucio had the privilege of listening to testimony from the public that inspired him to author **Senate Bill 1693**, which directs the Health and Human Services Commission's Aging Texas Well Advisory Committee to work proactively to study the needs of visually impaired seniors. This special advisory committee will develop a report and recommendations relating to independent living services provided to seniors, especially those who are visually impaired. This bill will provide the state with a better understanding of the true needs of the elderly and seniors with visual impairment in order to increase the quality of their care.

Public Health Needs of the Border Region

Sen. Lucio's office worked with the Cameron County Health Department for over a year to develop **Senate Bill 1680**, which establishes a Task Force of Border Health Officials. This Task Force will assist the Texas Department of State Health Services Commissioner by providing insight on a number of factors relating to the health of the border region (e.g. policy priorities, public awareness, barriers on access to health care, health problems, standardization of data, establishing local health programs, and improving collaboration with other appropriate departments).

Due to localized Zika that was experienced in Cameron County in 2016, Sen. Lucio found it incumbent to highlight the public health needs of the border. This Task Force will empower the department with critical information needed to improve Texas' response in addressing the countless health concerns and related ailments that are present in the border region, and will bring much-needed focus and attention to the challenges and hardships that border Texans face every day.

Addressing Health Care Shortage

Telemedicine

The Legislature took great strides to address the health care shortage in our state. Sen. Lucio co-authored **Senate Bill 1107** to provide more access to doctors via telemedicine. This bill creates a clear and accountable regulatory structure regarding the establishment of a valid practitioner-patient relationship via telemedicine. The guidelines governing telemedicine were also updated to allow the creation of greater valid practitioner-patient relationship in a telemedicine encounter.

Shortage of Psychiatrists

By some reports, there are less than 2,000 psychiatrists actively licensed and offering direct care in Texas. In fact, as of January 2015, over two-thirds of the state's counties were designated as Mental Health Professional Shortage Areas (i.e., geographic areas with a ra-



Senator Lucio visits with an advocate for senior rights on his legislation, Senate Bill 1693.

tio of 30,000 people to one psychiatrist). To address these concerns, Sen. Lucio co-authored **Senate Bill 674** to create an expedited licensing process for out-of-state psychiatrists. Through this bill, the Texas Medical Board will create an expedited licensing process for applicants who hold an unrestricted license to practice medicine issued in another state, are board certified in psychiatry, and meet other general eligibility requirements.

Mental Health and the Criminal Justice System

Senate Bill 1849, the Sandra Bland Act, directs local jails to increase mental health supervision and training to prevent suicides of prisoners. The bill requires law enforcement to complete training in de-escalating confrontations, in order to better handle inmates with mental health issues, and jails to provide prisoners with access to mental health professionals. Because of the bill, law enforcement officers must make a "good faith effort" to divert those arrested for nonviolent misdemeanors to needed treatment for mental health or substance abuse.

Through **Senate Bill 292**, the Texas Health and Human Services Commission is directed to establish a grant program to reduce recidivism, arrest, and incarceration among individuals with mental illness and to reduce wait time for forensic commitment to a state hospital. With this bill, Texas will be providing a grant to a county-based community collaborative in the most populous counties in the state for the same purpose. This will help the state by reducing the number of people with mental illness in county jails and thereby reducing the waiting time for a forensic commitment to a state hospital.

Veteran Mental Health

In order to strengthen the state's resolve in addressing the alarming suicide rate of veterans (twenty veterans a day), Sen. Lucio authored **Senate Bill 578** to direct the development of a comprehensive action plan to increase access to and availability of professional veteran health services to prevent veteran suicides. The plan, undertaken by the Department of State Health Services, is mandated to identify opportunities for raising awareness of, and providing resources for, veteran suicide prevention, as well as identify opportunities to increase access to veteran mental health services. One goal of the plan is to provide funding resources to offer affordable, accessible veteran mental health services for veterans. In order to better assist veterans, the plan must provide measures to expand public-private partnerships to ensure access to quality, timely mental health services and for proactive outreach measures to reach veterans needing care.

Addressing the Needs of Women Veterans

According to the United States Department of Veterans Affairs, Texas has the highest women veteran population in the nation with a total of 183,597 women veterans, and the number of women veterans in the state is projected to continue to increase. As a member of the Senate Veteran Affairs and Border Security Committee, Sen. Lucio authored a series of bills to better assist women veterans in Texas.

For example, **Senate Bill 805** strengthens the existing Texas Women Veterans Program by directing the program to provide additional services and information unique to the women veteran population. Specifically, the bill directs the women veterans' coordinator to serve as a liaison between state and federal agencies and organizations that provide benefits and services to women veterans to address their needs. Additionally, the legislation directs the Texas Women Veterans Program to provide information, much like a clearinghouse, on services and resources provided by state and federal agencies, as well as other organizations, to women veterans.

Women Veterans Omnibus Bill

Working with both chambers of the Legislature, Sen. Lucio strengthened **SB 805** by making it the **Women Veterans Omnibus Bill** of the 85th Regular Session. In so doing, Sen. Lucio worked to include additional bills in SB 805.

The omnibus bill included **Senate Bill 1698** by Sen. Lucio, which requires the development of a report that identifies the unique challenges faced by women veterans along with policy recommendations to overcome those specific problems. A community outreach campaign is also mandated to be conducted to better inform women veterans of the benefits and services available to them, while informing the public of the significant contributions of women veterans in Texas.

In an effort to increase women veteran participation, **Senate Bill 1677** by Sen. Lucio was also included in the omnibus bill. This bill creates the framework that will enable Texas to improve how it identifies women veterans to better inform them of the services and benefits they are entitled to receive for their military service. These provisions direct the Texas Veteran Commission (TVC) to develop the model language to be included in applications used by state agencies that assist adult women with various programs (including TANF, supplemental nutrition assistance program, the women's health program, Medicaid, special supplemental nutrition program for women, infant and children, and housing, etc.) and to also include a link to the veterans internet portal website or for an online application. State agencies are required to place this information on their applications for assistance, services, or programs notifying female veterans of possible additional resources available to them.

Lastly, the Women Veterans Omnibus Bill establishes June 12th of each year as Women Veterans Day, recognizing the sacrifices and valor displayed by Texas Women Veterans through the addition of **House Bill 2698** by Rep. Neave.

Veteran Assistance/Services

As a son of a Veteran of Foreign Wars, Sen. Lucio has a great affinity and respect to veterans and to those that assist veterans. The 70th Texas Legislature created Veteran County Service Officers (VCSOs) to "aid any county resident who served in the armed forces or nurses corps of the United States, and any orphan or dependent of the person, to prepare, submit, and present any claim against the United States or a state for benefits to which the person may be entitled under United States or state law." Studies have documented how VCSOs provide invaluable support in all areas of life to veterans in addition to their role in claim assistance to veterans and their families.

Recognizing the value these offices provide, Sen. Lucio authored a series of bills to help VCSOs better assist veterans. He authored **Senate Bill 544** to update the training and certification of VCSOs in order to provide them with greater flexibility to receive their initial and ongoing training through outside organizations approved by the TVC.

Since VCSOs provide assistance to veterans and their families when applying for and receiving federal and state benefits, and serve as a "catch-all" for any question or concern a veteran or their family may have, Sen. Lucio authored **Senate Bill 1676** to streamline the communication between VCSOs and their respective county commissioners court. This legislation strengthens the effectiveness of VCSOs by affording them greater interaction with county officials through a direct line of communication with decision makers and thus permitting pressing veteran issues to be communicated directly to county leaders.

Senate Bill 1679 by Sen. Lucio seeks to support VCSOs' efforts to assist veterans by providing a source of funding to expand and increase the quality of services they can provide to veterans. Specifically, the bill establishes a 5% carve-out of existing grant funds to help VCSOs with direct assistance to veterans. Any unused portion of the 5% set-aside is allowed to return to the fund if there is an under-application to ensure that all the grant funds are used.

Veteran Outreach

Texas is the proud home of over 1.67 million veterans and is only second to California in the number of veterans in the nation. Unfortunately, many veterans are not aware of the wide array of programs offered by the state. It would greatly benefit Texas to increase awareness of these services in order to increase veteran participation.

Senate Bill 591, authored by Sen. Lucio, seeks to set up the statutory structure to better inform veterans in Texas of the services, programs, and benefits that they may be entitled to. The bill codifies a community outreach campaign to provide information to, and increase awareness of benefits and services available to, veterans relating to claims assistance, technology, health, financial help, rehabilitation, housing, employment and reemployment, and legal services, including the veterans treatment court program. The bill maximizes the TVC's ability to better inform and reach veterans by providing that the community outreach campaign must include outreach efforts at places where veterans routinely gather, including community centers and places of worship. Finally, the legislation strengthens the state's outreach effort by providing the TVC the authority to collaborate and contract with community-based or nonprofit organizations to implement the community outreach campaign.

Veteran Workforce

Although great strides have been undertaken to increase employment of veterans, little progress has been made in this regard. Texas currently has a goal of 20% of new state hires being veterans, but unfortunately the state continues to fall shy of meeting this goal. In 2014, less than 5% of Texas state employees were veterans, and in 2016 the hiring of veterans rose only to 7.21%.

Senate Bill 588 by Sen. Lucio strengthens and builds on the state's past effort to allow private employers to have veteran's employment preference policies by allowing private employers to notify the Texas Workforce Commission (TWC) and the TVC of their veteran's employment preference policies, and requires these agencies to make available on their websites the private employers which have notified them of their veteran's employment preference policies.

As Vice Chairman of the Senate Education Committee, Sen. Lucio played an integral role on a number of legislative measures aimed at addressing the educational needs of students in Texas. The following are a handful of bills authored, sponsored or supported by the Vice Chairman.

School Accountability

With **House Bill 22**, the Legislature reformed the state educational accountability system to ensure public schools are evaluated in a fairer and more accurate manner. The accountability framework was reduced from five categories to three: student achievement (focusing on test scores), school progress (emphasizing student progress and comparisons with similar schools), and closing the gaps (based on data disaggregated by race/ethnicity, socioeconomic status, special education status, mobility, and other categories). The new framework ensures input from trustees, administrators, teachers and parents will be taken into account in the development of the metrics that will be used to evaluate the schools where they work or where their children learn.

Student-Teacher Relationships

In response to horrifying incidents of inappropriate relationships between teachers and students, the Legislature unanimously passed **Senate Bill 7**, a bill that Sen. Lucio co-authored and that comprehensively addresses this timely problem. In order to stem the continued rise of such relationships, the bill closes loopholes that previously exempted uncertified school employees from laws prohibiting inappropriate contact with students and did not cover relationships with students in other districts or private schools. SB 7 also puts in place important protections for students that make it harder for teachers formerly accused of misconduct to acquire a job in a new district.

Anti-bullying

Senate Bill 179, co-authored by Sen. Lucio, empowers schools to take additional steps to address any bullying that harms a child's ability to learn, whether it takes place at school, off campus, or on the internet. The bill modernizes the state's bullying laws to include harassment over social media and other electronic means. SB 179 also includes more severe penalties for violators, including placement in an alternative education program, expulsion, or even criminal penalty enhancements for students who engage in the harshest forms of bullying. The bill eases the acquisition of temporary injunctions against social media accounts used to harass or bully children and makes harassing a minor through social media and other electronic means with the intent to cause someone to harm themselves a Class A misdemeanor and punishable by up to one year in jail, a fine up to \$4,000, or both.

Special Education Students and Classroom Cameras

Senate Bill 1398 by Sen. Lucio updates existing statutes protecting special education students and their teachers by clarifying the laws that allow video cameras to be installed in certain classrooms. Because of SB 1398, it is now clear that cameras must only be installed in classrooms where they have specifically been requested by a parent with a child in that classroom or a teacher assigned to that classroom, addressing a major cost concern for school districts. The bill also significantly decreases the financial mandate to school districts by reducing the record retention requirement, a major cost driver, by half. At the same time, the bill clarifies and reinforces the rights of parents to request a camera, view footage, and bring a complaint against a teacher who behaves inappropriately.

Mental Health Best Practices

Many of our state's most vulnerable students face non-academic barriers to academic success,

such as homelessness, trauma, or mental health concerns. In order to prevent these children from falling behind academically or even dropping out of school, Sen. Lucio sponsored **House Bill 4056** to help schools address the ongoing demands these students can face outside of the classroom. The bill puts additional resources into the hands of teachers to help them assist students who deal with non-academic barriers to their learning. Specifically, it expands a list of state-approved, best practices programs that educators may use in their classrooms or schools to create an environment where every student has the opportunity to maximize their academic potential.

Hospital Dual-Credit Pilot Program

As the healthcare system of the Valley continues to expand, there is a need for qualified medical technicians, such as sonographers and patient care technicians, who do not necessarily need a medical school education. Many programs offer opportunities to earn post-secondary credit and credentials while still in high school, but there is no such program that allows partnerships with hospitals to help students achieve these industry credentials before graduation. Sen. Lucio sponsored **House Bill 2937**, which is targeted specifically at Hidalgo County schools and Doctors Hospital at Renaissance, to allow schools and the hospital to partner in a dual-credit program that will permit students to graduate with a post-secondary certificate and be ready to jump right into the healthcare workforce.

Counselor Reporting

Counselors provide vital services to students across the state, from offering postsecondary guidance to assisting students with mental health issues or other non-academic problems at school. Unfortunately, it is difficult to truly measure their impact, since data collection programs do not require counselors to be differentiated from other instructional staff in any way. **Senate Bill 490** by Sen. Lucio sheds light on the enormous benefits counselors provide the students of Texas by giving them a distinct marker in our state's data reporting system. This data, which schools already collect but currently do not have any way of reporting, will provide additional transparency to researchers and the public at large about the crucial role school counselors play in the lives of students.

Community Colleges and Bachelor's Degrees

The Legislature passed **Senate Bill 218**, which enables certain community colleges to offer bachelor's degrees that are in higher demand than local universities have the capacity to handle. Junior and community colleges will be able to seek Texas Higher Education Coordinating Board authority to offer bachelor's degrees in some workforce oriented fields - such as applied science, applied technology or nursing - in which the community has demonstrated a workforce need. Among other benefits, this change will allow South Texas College to bolster the region's healthcare workforce by offering a bachelor of science in nursing (BSN) program.



Senate Education Committee Vice Chairman Lucio and Chairman Larry Taylor discuss plans for education reform.

STATE BUDGET

Due to diminishing tax revenues and sluggish oil and gas sector activity, the Legislature approved a lean state budget of \$217 billion for the next biennium. However, the Legislature did strategically invest state funding to noteworthy causes, including:

- Over \$500 million to fund Child Protective Services in Texas that will be critical to provide long-overdue pay raises to existing employees and hire 1,400 new case workers;
- About \$300 million from the Economic Stabilization Fund (“Rainy Day Fund”) to begin much-needed repairs in the state hospital system and \$63 million in additional funding for state mental health services;
- \$800 million to secure the border and hire new state troopers; and
- An additional \$2.65 billion to cover enrollment growth in the state’s education system.

Texas Grants

The Texas Grants Program, which is critical in the Lower Rio Grande Valley and is the state’s main instrument of higher education financial aid, was appropriated \$71 million beyond the previous budget for a total funding of \$786 million, enough to fund 92 percent of eligible students.

Higher Education Funding

General revenue appropriations funding for higher education increased by 1.6 percent to \$14.9 billion for the two-year budget. Community colleges saw a \$28.8 million increase for core operations and for achieving performance metrics, such as higher course completion rates. Regional institutions of higher education were funded as follows:

Institution	Funding
UT-Rio Grande Valley	\$313,161,551
Texas A&M Kingsville	\$125,010,930
South Texas College	\$80,452,025
Texas Southmost College	\$10,475,325
Texas State Tech College Harlingen	\$52,592,885

Health and Human Services Funding

Acute therapy services that were cut in the previous budget were able to recover 25 percent of those funds in this biennium.

Other Noteworthy Bills Enacted

- **Statewide texting ban:** Beginning September 1 of this year, everyone in Texas will be covered by a statewide texting-while-driving ban. Motorists will be prohibited to “read, write, or send an electronic message while operating a motor vehicle unless the vehicle is stopped.” A first offense is a fine up to \$99.
- **Emergency room costs:** Texans will have more protections from the cost of bills after visiting emergency rooms.
- **Sexual assault reporting:** Under a three-bill package, the state aims to improve reporting of sexual assault by granting students who report assaults amnesty from prosecution and student conduct code sanctions for underage drinking. Additionally, public and private schools are required to offer online reporting of sexual assault, sexual harassment, dating violence and stalking.
- **Port improvements:** New law allows Texas ports to improve their port depth and infrastructure in order to capitalize on future opportunities. It provides the ports financing options and creates a ship channel improvement revolving fund.
- **Ecological Tourism:** Under a new law, South Padre Island may use hotel occupancy tax revenue for ecological tourism events and maintenance of coastal sports facilities owned by the city.



Senate Lucio welcomes students from South Texas College to their state capitol.

SPECIAL SESSION UPDATE

On July 18, 2017, Governor Abbott called the Legislature back to a special session to address twenty items that he considered a priority. Aside from allowing critical agencies to not expire, the major highlight of the special session was the Legislature working on a number of critical education reforms.

Education Reforms: House Bill 21

The Legislature passed a series of measures that will serve as a first step to reforming our broken school finance system. Together, these provisions pave the way for needed reforms that will ensure all Texas schools receive the resources they need to provide a world-class education to each and every student. All of these public education-related reforms were included in House Bill 21, the public education reform bill of the special session. Overall, HB 21:

- Directs funds to public education by increasing facilities funding for low-wealth school districts, removing the financial penalty for certain small districts, and creating grants for innovative programs for students with autism or dyslexia;
- Contributes over \$200 million of state funding to reduce insurance premiums for our state’s retired teachers in the TRS-Care system; and
- Includes the Texas School Finance Commission, a provision co-authored by Sen. Lucio, which sets up a committee of legislators and school leaders that will study our school finance commission over the interim and make recommendations for improving it before the next legislative session.



Senator Lucio reviews upcoming legislation on the Senate floor.

Hurricane Harvey Victims Grateful for Texas-Sized Help

As Texas works to address the needs of the communities and thousands of families impacted by Hurricane Harvey, I would like to personally thank the constituents of Senate District 27 for all of their heartfelt support, deep compassion, and generous donations that you provided during the immediate response period. Your donations, such as food, toys, clothes, and blankets, gave hope to countless families in a time of despair.

The damage Hurricane Harvey caused to the Coastal Bend, Southeast Texas, and our Gulf Coast Region is unprecedented. Hundreds of thousands of lives were impacted, infrastructure and housing were destroyed, and precious lives were tragically lost.


However, we saw firsthand how the Spirit of Texas -- the Spirit to recover -- was not destroyed. Many of us rolled up our sleeves and started to do what we could to help. I am thankful for everyone who assisted in our effort to take several tractor trailers full of emergency supplies to communities along our Gulf Coast. Humanitarian efforts like these were repeated in other parts of Texas because people throughout our great state shared in the loss of our communities.

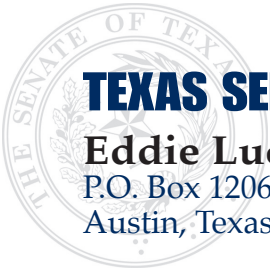
Our state will forge critical partnerships with local, regional and federal governments, as well as with non-government entities -- such as non-profits and the private sector -- to ensure that we maximize limited public dollars and capitalize on local resources for the benefit of Hurricane Harvey victims.

Our legislative interim work is just beginning, and the conversation on how Texas can improve our response is just getting started. Helping the communities impacted by Hurricane Harvey will be a top priority whenever we are gaveled back into the Legislature.

Texas is a big family. What happens to one region is felt and experienced by the entire state. As your Senator, I thank you for lending a helping hand and assisting Hurricane Harvey survivors. Thank you for being a part of this wonderful Texas family!

Sincerely,


Senator Eddie Lucio, Jr.



TEXAS SENATOR

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Senator Eddie Lucio, Jr. fights for the interests of his constituents as he engages a witness in a committee hearing.

Senator Eddie Lucio, Jr.

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